

CHARLIE MELANCON  
3RD DISTRICT, LOUISIANA

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January 12, 2010

Honorable Eric Holder  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001

Re: *Robinson, et al v. United States Army Corps of Engineers*  
United States District Court for the Eastern District of Louisiana  
Civil Action No. 06-2268

Dear Mr. Holder:

I write on behalf of the thousands of Louisianans whose lives have been turned upside down by both the natural disaster of Hurricane Katrina and the government failure that long preceded it.

As you know, U.S. District Judge Stanwood Duval on November 18, 2009 ruled that the Army Corps' of Engineers mismanagement of the Mississippi River-Gulf Outlet (MRGO) was directly responsible for the devastating flood that severely damaged or destroyed hundreds of thousands of homes and businesses in St. Bernard Parish and the Lower Ninth Ward of New Orleans. In the opinion, Judge Duval repeatedly charged the Corps with what he termed nonfeasance, malfeasance, and monumental negligence. He found that the Corps' errors created substantial risk of catastrophic loss of human life and private property.

After considering all arguments over 20 days of trial and thousands of pages of evidence, Judge Duval found that by 1973, 47,000 square miles of wetlands had been destroyed by the MRGO, and an additional 73 square miles of wetlands were lost from 1973 until the time of Hurricane Katrina. In conjunction with this finding, Judge Duval noted that the Corps was aware of feasible mitigation measures by the early 1970s, but took no action. This indictment is underscored by the fact that the Corps is the very agency of our government that is charged with the responsibility of protecting our vital wetlands.

I am grateful that President Obama has been cognizant of this injustice and continues to make the Gulf Coast's recovery a priority for his Administration. During his most recent visit to New Orleans, the president noted that that "Katrina was not caused just by a disaster of nature, but also by a breakdown of government." The president also renewed his commitment to our recovery, stating "We are not going to forget about the Gulf Coast. Together, we will rebuild this region and we will rebuild it stronger than before."

The people of St. Bernard Parish and New Orleans have worked tirelessly for more than four years to recover what they lost in Katrina. Through pure grit and determination, they have rebuilt their homes and communities, and their strength of spirit is an inspiration to us all. I fear, however, that forcing these individuals to continue to litigate, while their homes and communities are in near ruin, would not only slow the rebuilding process, but would be incongruent with this Administration's commitment to the recovery. These families cannot afford to endure years in court while their government continues to frustrate their hopes of a resolution. In light of the President's steadfast dedication to recovery and Judge Duval's findings, I request that your office begin negotiations with these plaintiffs to resolve their claims and allow them to continue rebuilding their lives. I am grateful for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charlie Melancon", with a long horizontal flourish extending to the right.

Charlie Melancon  
Member of Congress